



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUG 1 2 2008

Karl J. Sandstrom, Esq.
Perkins Coie, LLP
607 Fourteenth St. NW
Washington, DC 20005-2003

RE: MUR 5956
Yarmuth for Congress
John A. Yarmuth

Dear Mr. Sandstrom:

On December 19, 2007, your clients were notified that the Federal Election Commission found reason to believe that Yarmuth for Congress and Sarah J. Martin, in her official capacity as treasurer, (the "Committee") and John A. Yarmuth violated 2 U.S.C. § 441a-1(b)(1)(C). On June 26, 2008, the Supreme Court issued its decision in *Davis v. FEC*, 128 S. Ct. 2759 (2008) and found Sections 319(a) and 319(b) of the Bipartisan Campaign Reform Act of 2002 — the so-called "Millionaires' Amendment"— unconstitutional because they violate the First Amendment to the U.S. Constitution. The Court's analysis in *Davis* precludes enforcement of the reporting requirements of the Amendment. Therefore, after considering the circumstances of this matter, the Commission determined on July 29, 2008, to take no further action as to the Committee and John A. Yarmuth, and closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Wanda D. Brown". The signature is fluid and cursive, with a large loop at the end.

Wanda D. Brown
Attorney

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